

1 Marc A. Levinson (California Bar No. 57613)  
 2 Lynn Trinka Ernce (California Bar No. 179212)  
 3 ORRICK, HERRINGTON & SUTCLIFFE LLP  
 4 400 Capitol Mall, Suite 3000  
 5 Sacramento, CA 95814-4497  
 Telephone: (916) 447-9200  
 Facsimile: (916) 329-4900  
 Email: [malevinson@orrick.com](mailto:malevinson@orrick.com); [lernce@orrick.com](mailto:lernce@orrick.com)

E-filed on June 23, 2006

6 Brett A. Axelrod (Nevada Bar No. 5859)  
 7 Anne M. Loraditch (Nevada Bar No. 8164)  
 BECKLEY SINGLETON, CHTD.  
 8 530 Las Vegas Boulevard South  
 Las Vegas, NV 89101  
 Telephone: (702) 385-3373  
 Facsimile: (702) 385-5024  
 Email: [bolson@beckleylaw.com](mailto:bolson@beckleylaw.com); [aloraditch@beckleylaw.com](mailto:aloraditch@beckleylaw.com)

11 Attorneys for the Official Committee of Equity Security  
 Holders of USA Capital Diversified Trust Deed Fund, LLC

13 **UNITED STATES BANKRUPTCY COURT**  
 14 **DISTRICT OF NEVADA**

15 In re: USA COMMERCIAL MORTGAGE COMPANY, Debtor.	Case No. BK-S-06-10725 LBR Case No. BK-S-06-10726 LBR Case No. BK-S-06-10727 LBR Case No. BK-S-06-10728 LBR Case No. BK-S-06-10729 LBR
17 In re: USA CAPITAL REALTY ADVISORS, LLC, Debtor.	Chapter 11
19 In re: USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, Debtor.	Jointly Administered Under Case No. BK-S-06-10725-LBR
21 In re: USA CAPITAL FIRST TRUST DEED FUND, LLC, Debtor.	
23 In re: USA SECURITIES, LLC, Debtor.	Date: June 21, 2006 Time: 9:30 a.m. Place: Courtroom #1
24 Affects: <input type="checkbox"/> All Debtors <input type="checkbox"/> USA Commercial Mortgage Company <input type="checkbox"/> USA Securities, LLC <input type="checkbox"/> USA Capital Realty Advisors, LLC <input checked="" type="checkbox"/> USA Capital Diversified Trust Deed Fund, LLC <input type="checkbox"/> USA First Trust Deed Fund, LLC	

1                   **NOTICE OF ENTRY OF ORDER APPROVING APPLICATION BY THE OFFICIAL**  
2                   **COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL DIVERSIFIED**  
3                   **TRUST DEED FUND, LLC, TO EMPLOY BECKLEY SINGLETON, CHTD.**

4                   **NUNC PRO TUNC AS OF JUNE 9, 2006**

5                   PLEASE TAKE NOTICE that on the 22<sup>nd</sup> day of June 2006, the Court entered its Order  
6                   Approving Application by the Official Committee Of Equity Security Holders of USA Capital  
7                   Diversified Trust Deed Fund, LLC, to Employ Beckley Singleton, Chtd. *Nunc Pro Tunc* as of  
8                   June 9, 2006, copy attached

9                   DATED this 23<sup>rd</sup> day of June 2006.

10                  BECKLEY SINGLETON, CHTD.

11                  By: Anne M. Loraditch

12                  BRETT A. AXELROD, ESQ.

13                  Nevada Bar No. 5859

14                  ANNE M. LORADITCH, ESQ.

15                  Nevada Bar No. 8164

16                  530 Las Vegas Boulevard South

17                  Las Vegas, NV 89101

18                  Telephone: (702) 385-3373

19                  Attorneys for the Official Committee of Equity  
20                  Security Holders of USA Capital Diversified  
21                  Trust Deed Fund, LLC



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Entered on Docket  
June 22, 2006

A handwritten signature in black ink, appearing to read "R. B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

6 Marc A. Levinson (California Bar No. 57613)  
7 Lynn Trinka Ernce (California Bar No. 179212)  
8 ORRICK, HERRINGTON & SUTCLIFFE LLP  
9 400 Capitol Mall, Suite 3000  
10 Sacramento, CA 95814-4497  
Telephone: (916) 447-9200  
Facsimile: (916) 329-4900  
Email: [malevinson@orrick.com](mailto:malevinson@orrick.com); [lernce@orrick.com](mailto:lernce@orrick.com)

11 Brett A. Axelrod (Nevada Bar No. 5859)  
12 Anne M. Loraditch (Nevada Bar No. 8164)  
13 BECKLEY SINGLETON, CHTD.  
14 530 Las Vegas Boulevard South  
15 Las Vegas, NV 89101  
Telephone: (702) 385-3373  
Facsimile: (702) 385-5024  
Email: [bolson@beckleylaw.com](mailto:bolson@beckleylaw.com); [aloraditch@beckleylaw.com](mailto:aloraditch@beckleylaw.com)

16 Attorneys for the Official Committee of Equity Security  
17 Holders of USA Capital Diversified Trust Deed Fund, LLC

18  
19  
UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

20 In re:  
21 USA COMMERCIAL MORTGAGE COMPANY,  
Debtor.

Case No. BK-S-06-10725 LBR  
Case No. BK-S-06-10726 LBR  
Case No. BK-S-06-10727 LBR  
Case No. BK-S-06-10728 LBR  
Case No. BK-S-06-10729 LBR

22 In re:  
23 USA CAPITAL REALTY ADVISORS, LLC,  
Debtor.

Chapter 11

24 In re:  
25 USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,  
Debtor.

Jointly Administered Under  
Case No. BK-S-06-10725-LBR

26 In re:  
27 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
Debtor.

Date: June 21, 2006

28 In re:  
USA SECURITIES, LLC,  
Debtor.

Time: 9:30 a.m.

Place: Courtroom #1

- 1 Affects:
- 2  All Debtors
- 3  USA Commercial Mortgage Company
- 4  USA Securities, LLC
- 5  USA Capital Realty Advisors, LLC
- 6  USA Capital Diversified Trust Deed Fund, LLC
- 7  USA First Trust Deed Fund, LLC

6 **ORDER APPROVING APPLICATION BY THE OFFICIAL COMMITTEE OF EQUITY  
7 SECURITY HOLDERS OF USA CAPITAL DIVERSIFIED TRUST DEED  
8 FUND, LLC, TO EMPLOY BECKLEY SINGLETON, CHTD.**

9 **NUNC PRO TUNC AS OF JUNE 9, 2006**

10 This Court, having considered the Application by the Official Committee Of Equity  
11 Security Holders of USA Capital Diversified Trust Deed Fund, LLC, to Employ Beckley Singleton,  
12 Chtd. *Nunc Pro Tunc* as of June 9, 2006 (the “Beckley Application”), as filed by the Official  
13 Committee of Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC (the  
14 “Diversified Committee”), being represented by Marc A. Levinson, Esq. of Orrick, Herrington &  
15 Sutcliffe LLP, and Anne M. Loraditch, Esq. of the law firm of Beckley Singleton, Chtd. at the  
16 hearing noted above; other appearances having been made upon the record; the Beckley  
17 Application having been noticed to all creditors, investors and parties in interest pursuant to the  
18 Court’s previous orders; the pleadings, papers and records on file in this matter; and no objections  
19 having been filed; and it appearing to the Court that the attorneys at Beckley Singleton, Chtd. are  
20 disinterested persons who do not hold or represent an interest adverse to the Debtors’ estates in the  
21 matters upon which they are to be engaged, and that their employment for the purposes set forth in  
22 the Beckley Application is in the best interest of USA Capital Diversified Trust Deed Fund, LLC  
23 and its estate; and good cause appearing therefor,

24 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the Beckley  
25 Application is granted, and the Diversified Committee is authorized to employ Beckley Singleton,  
26 Chtd. as its Special (Nevada) Counsel herein on the terms set forth in the Beckley Application, and  
27 any further order the Court may issue, effective as of June 9, 2006.

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1 RESPECTFULLY SUBMITTED BY:

2 BECKLEY SINGLETON, CHTD.

3 By: /s/ Anne M. Loraditch

4 BRETT A. AXELROD, ESQ.  
5 ANNE M. LORADITCH, ESQ.  
530 Las Vegas Boulevard South  
6 Las Vegas, NV 89101

7 *Special Nevada Counsel for the Official  
8 Committee of Equity Security Holders of  
USA Capital Diversified Trust Deed  
9 Fund, LLC*

10 APPROVED/DISAPPROVED:

11 ORRICK, HERRINGTON & SUTCLIFFE LLP

12 By: /s/ Marc A. Levinson

13 MARC A. LEVINSON, ESQ.  
14 LYNN TRINKA ERNCE, ESQ.  
400 Capitol Mall, Suite 3000  
15 Sacramento, California 95814-4407

16 *Counsel for the Official Committee of  
17 Equity Security Holders of USA Capital  
Diversified Trust Deed Fund, LLC*

18 APPROVED/DISAPPROVED:

19 STUTMAN TREISTER & GLATT, P.C.

20 By: /s/ Christine Pajak

21 FRANK A. MEROLA, ESQ.  
22 EVE KARASIK, ESQ.  
23 CHRISTINE PAJAK, ESQ.  
1901 Avenue of the Stars, 12<sup>th</sup> Floor  
24 Los Angeles, California 90067

25 *Counsel for the Official Committee of  
26 Equity Security Holders of USA Capital  
First Trust Deed Fund LLC*

1 APPROVED/DISAPPROVED:

2 SCHWARTZER & MCPHERSON LAW FIRM

3 By: /s/ Jeanette McPherson

4 LENARD SCHWARTZER, ESQ.  
5 JEANETTE MCPHERSON, ESQ.  
2850 South Jones Blvd., Suite 1  
6 Las Vegas, NV 89146-5308

7 *Counsel for the Debtors*

10 APPROVED/DISAPPROVED:

11 LEWIS AND ROCA, LLP

12 By: /s/ Rob Charles

13 SUSAN M. FREEMAN, ESQ.  
14 ROB CHARLES, ESQ.  
3993 Howard Hughes Parkway, 6<sup>th</sup> Floor  
15 Las Vegas, Nevada 89109

16 *Counsel for the Official Committee  
17 of Unsecured Creditors of USA  
18 Commercial Mortgage Company*

21 APPROVED/DISAPPROVED:

22 SHEA & CARLYON, LTD.

23 By: /s/ Candace C. Carlon

24 JAMES PATRICK SHEA, ESQ.  
CANDACE C. CARLYON, ESQ.  
SHLOMO S. SHERMAN, ESQ.  
233 South Fourth Street, 2d Floor  
25 Las Vegas, Nevada 89101

26 *Special Nevada Counsel for the Official  
27 Committee of Equity Security Holders of  
28 USA Capital First Trust Deed Fund, LLC*

1 APPROVED/DISAPPROVED:

2 GORDON & SILVER, LTD.

3 By: /s/ Gregory E. Garman

4 GERALD M. GORDON, ESQ.  
5 GREGORY E. GARMAN, ESQ.  
6 3960 Howard Hughes Parkway, 9<sup>th</sup> Floor  
7 Las Vegas, Nevada 89109

8 *Counsel for the Official Committee of  
Holders of Executory Contract Rights of  
USA Commercial Mortgage Company*

1 APPROVED/DISAPPROVED:

2 OFFICE OF THE U.S. TRUSTEE

3 By: /s/ August B. Landis

4 AUGUST B. LANDIS  
5 SCOTT A. FARROW  
6 300 Las Vegas Boulevard, Suite 4300  
7 Las Vegas, Nevada 89101

8 *Assistant United States Trustee*

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**RULE 9021 DECLARATION**

In accordance with Local Rule 9021, the undersigned certifies:

- The Court waived the requirements of LR 9021.
  - I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and each has:
    - approved the form of this order;
    - waived the right to review the order; and/or
    - failed to file and serve papers in accordance with LR 9021(c); and

n/a

- No opposition was filed to the motion and no other party or counsel appeared at the hearing.

DATED this 21<sup>st</sup> day of June 2006.

## BECKLEY SINGLETON, CHTD.

By: /s/ Anne M. Loraditch  
BRETT A. AXELROD, ESQ.  
Nevada Bar No. 5859  
ANNE M. LORADITCH, ESQ.  
Nevada Bar No. 8164  
530 Las Vegas Boulevard South  
Las Vegas, NV 89101  
Telephone: (702) 385-3373

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